IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)
THURSDAY, THE TWENTY FOURTH DAY OF JUNE
TWO THOUSAND AND FOUR
PRESENT
THE HON'BLE MR JUSTICE GOPALA KRISHNA TAMADA
WRIT PETITION NO : 13093 of 1993

Between:

1. B.Prabhakara Raju, S/o late Satyanarayana Raju,
   Age 41Yrs., R/o Eluru, West Godavari District.
2. K.V.Ramana Rao, S/o Lakshmiah, Age 30Yrs.,
   Eluru, West Godavari District.

..... PETITIONERS

AND

1. The Managing Director, A.P.State Housing Corporation,
   Gruhakalpa, Hyderabad.
2. The District Collector/Executive Director,
   A.P.State Housing Corporation Ltd., Eluru.
3. The District Manager, A.P.State Housing Corporation Ltd.,
   Eluru, West Godavari.
4. M.Lakshmanaswamy, S/o Sattiraju,
   Technical Work Inspector,
   C/o Asst.Engineer, Housing, Koyyalagudem,
   Kovvur Division, West Godavari District.
5. G.Pitchaiah, S/o Nageswararao,
   Technical Work Inspector,
   C/o Asst., Engineer, Housing, A.P.State Housing Corporation Ltd.,
   Pduru, Narsapur Division, W.G.Dist.,
6. S.S. Prakasa Rao, S/o Elliah,
   Technical Work Inspector,
   C/o Asst., Engineer, Housing,
   Eluru, Head Department,
   A.P.State Housing Corporation Ltd.,
   Eluru Division, West Godavari District.

....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ or order or direction particularly one in the

nature of writ of Mandamus, declaring the action of the respondents in regularizing the services of the respondents Nos.4 to 6 as work inspectors, while the proposal for regularization of the services of the petitioners as work inspectors submitted by the 3rd respondent to the 1st respondent is pending consideration from 1-10-1992, as illegal, arbitrary and contrary to the rules, and pass such other order or orders as this Hon'ble Court may deem fit and proper.

Counsel for the Petitioner: MR.S.RANGA REDDY

Counsel for the Respondents: MR.V.CH.NAIDU

The Court Made the Following :

ORDER:

The petitioners, who were appointed as non-technical work Inspectors on NMR basis, approached this Court and filed this writ petition seeking regularization of their services.

The first petitioner joined the respondent-corporation as non-technical Work Inspector on 06.01.1986 and the second petitioner was selected as Technical Inspector on 14.02.1985. They were not continuously in service from 1985 to 1991. From 1991 they were continuously in service and accordingly, their names were recommended by the third respondent for regularization of their services.

The grievance of the petitioners is that though the Government issued G.O.Ms.No.182, dated 13.11.1991, regularising the service of technical and non-technical Work Inspectors, who completed five years of service in the Housing Corporation and their names were recommended for regularization, the respondent- corporation have not considered their cases, while considering the cases of similarly situated persons viz., respondents 4 to 6, for regularization.

Respondent-corporation filed a detailed counter.

Heard both sides.

From a perusal of the record as well as submissions made by both the counsel, the undisputed facts are that the petitioners were appointed in the year 1985 and 1986 and worked for some time during the period from 1985 to 1991 and subsequently they are in continuous service since 1991. It is also a fact that government issued G.O.Ms.No.182, dated 13.11.1981, directing the authorities to regularize the services of those persons, who have put in continuous service of five years. It is also clear from the record that the third respondent has sent proposals

for regulaisation of the technical and non-technical Works Inspectors working in West Godavari District, wherein the names of the petitioners were also figured. Further, it is also clear that pursuant to the interim orders of this Court on 04.09.1993, the petitioners are allowed to continue as non-technical Works Inspector in the respondent-Corporation.

As the policy of the Government in issuing G.O.Ms.No.182, dated 13.11.1991 is to regularize the services of those NMRs, who have put in continuous service of more than five years, and also in view of the fact that the competent authority, i.e. the third respondent, being satisfied with the work of the petitioners, who come within the ambit of G.O.Ms.No.182, has recommended the case of the petitioners for regularization, and also in view of the fact that on an earlier occasion this Court through orders, dated 04.09.1993, directed the respondents to consider the case of the petitioners for regularization, I deem it appropriate to direct the respondents-corporation to consider the case of the petitioners, positively, taking into consideration the fact that they are in service since 1991.

Accordingly, the writ petition is disposed of. No order as to costs.

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24-06-2004

klp

To

1. The Managing Director, A.P.State Housing Corporation,
   Gruhakalpa, Hyderabad.
2. The District Collector/Executive Director,
   A.P.State Housing Corporation Ltd., Eluru.
3. The District Manager, A.P.State Housing Corporation Ltd.,
   Eluru, West Godavari.
4. Two C.D. copies.